S.B. Cr. Bail Application No. 5990/2007
(Sujan Singh Vs. State of Rajasthan)

Date of order : 10.12.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Manish Dadhich for the petitioner.
Mr. Ashok Upadhyay, P.P.

Learned counsel for the petitioner does not want to press the instant bail application since Section 18 of the SC/ST (Prevention of Atrocities) Act takes away the power under Section 438 Cr.P.C. for the offences punishable under this Act. However, learned counsel for the petitioner submits that the petitioner would surrender before the trial court and the trial court may be directed to decide his bail application on the same day.

The bail application filed by the petitioner under Section 438 Cr.P.C. is dismissed as not pressed. However, in view of the statement of counsel for the petitioner and keeping in view other offences which are bailable, let the petitioner surrender before the Special Judge, SC/ST (Prevention of Atrocities) Act Cases, Bikaner and move a regular bail. If the petitioner surrenders and moves a regular bail, the trial court shall consider the decide the bail application on the same day.

(H.R.PANWAR), J.

rp